

# KING & SPALDING

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April 12, 2024

*Via ECF*

Hon. Loretta A. Preska  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *Petersen Energia Inversora, S.A.U. v. Argentine Republic*, No. 15-cv-02739  
("Petersen"); *Eton Park Capital Management, L.P. v. Argentine Republic*, No.  
16-cv-8569 ("Eton Park")

Your Honor:

We write in response to the letter submitted yesterday evening by counsel for YPF S.A. ("YPF") (ECF No. 550) in connection with Plaintiffs' Motion to Seal (the "Sealing Motion") (ECF No. 544).<sup>1</sup> In its letter, YPF requests that the Court deny Plaintiffs' Sealing Motion given the "presumed relevance" of the sealed documents to YPF and/or the pending appeals in the Second Circuit. ECF No. 550 at 1.

For the reasons set out in Plaintiffs' Memorandum of Law in Support of Motion to Seal (ECF No. 545), Plaintiffs believe that sealing is appropriate with respect to both (i) their Sealing Motion and (ii) their post-judgment motion sought to be filed under seal. Plaintiffs understand that Argentina intends to file shortly an opposition to the Sealing Motion, and Plaintiffs will elaborate in their forthcoming reply (which we will file promptly) their view that what is most important here is a consistent approach across the various cases pending against Argentina, in which a

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<sup>1</sup> All references to the docket in this letter are references to the docket in the *Petersen* case.

number of such sealing orders have been granted. Plaintiffs propose that the Court hold YPF's request in abeyance until it receives the parties' forthcoming filings. Even if the underlying motion were somehow relevant to YPF's appeal (which it is not), YPF will not be disadvantaged by some modest delay given that it has sought and obtained a lengthy extension for its appeal briefing; YPF's first appeal brief is not due until June 24.

Respectfully submitted,

/s/ Randy M. Mastro  
Randy M. Mastro

Cc: Counsel of record for the Argentine Republic (via ECF)  
Counsel of record for YPF S.A. (via ECF)